

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RONALD D. MADDEN,

Plaintiff,

vs.

ANTON ANTONOV & AV
TRANSPORTATION, INC., and
BNSF RAILWAY COMPANY,

Defendants.

4:12-CV-3090

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff Ronald D. Madden's objection (filing 226) to the Magistrate Judge's Order of December 12, 2014 (filing 225). In that order, the Magistrate Judge found that in the interest of judicial economy, to avoid entering potentially inconsistent and unnecessary rulings, and to curtail potentially unnecessary expenditures of the parties' time and resources, Madden's motion to compel (filing 221) and defendant BNSF Railway Company's motion for a protective order (filing 217) should be held in abeyance pending a ruling on BNSF's motion for summary judgment and its accompanying motions *in limine*. The Magistrate Judge reasoned that

[m]any of the legal arguments in the parties' briefs are currently before Judge Gerrard on Defendant's motion for summary judgment and Daubert motions. Those rulings will define the parameters of relevant discovery and inform the undersigned magistrate judge's consideration on the pending discovery motions. While waiting for full briefing and disposition on the matters pending before Judge Gerrard will no doubt delay any trial setting, the court is more concerned with being right than being fast.

Filing 225 at 2.

The Court agrees with the Magistrate Judge's reasoning. In any event, the Court has now ruled on BNSF's motion for summary judgment and motions *in limine*, and Madden's objection is now moot.

IT IS ORDERED:

1. Madden's objection (filing [226](#)) is overruled as moot.

Dated this 17th day of February, 2015.

BY THE COURT:


John M. Gerrard
United States District Judge